

**SUPREME COURT MINUTES
THURSDAY, JUNE 28, 2012
SAN FRANCISCO, CALIFORNIA**

S177403 B214119 Second Appellate District, Div. 5 **UNITED TEACHERS OF LOS ANGELES v. LOS ANGELES UNIFIED SCHOOL DISTRICT**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the cause is remanded for proceedings consistent with this opinion.

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S177704 E045714 Fourth Appellate District, Div. 2 **IN RE M.M.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed, and the matter remanded for further proceedings consistent with the views expressed herein.

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Werdegarr, Chin, Corrigan, and Liu, JJ.

S190647 B217709/B221833 Second Appellate District, Div. 4 **PEOPLE v. CABALLERO (RODRIGO)**

Supplemental briefing ordered

In Miller v. Alabama (June 25, 2012, Nos. 10-9646, 10-9647) ___ U.S. ___ [2012 U.S. Lexis 4873; 2012 WL 2368659], the United States Supreme Court held that a sentence of “mandatory life without parole for those under the age of 18 at the time of their crimes violates the Eighth Amendment’s prohibition on cruel and unusual punishments.” (*Miller, supra*, ___ U.S. at p. ___ [2012 U.S. Lexis 4873 at p. *2].) Although *Miller* addresses the sentencing question in the context of homicide crimes, as opposed to the nonhomicide crime at issue in *People v. Caballero* (S190647), the high court’s holding relies on *Graham v. Florida* (2010) 560 U.S. ___ [130 S.Ct.2011]), a case we consider in *People v. Caballero*.

The parties are requested to brief the effect, if any, of *Miller v. Alabama* on this court’s future decision in *People v. Caballero*.

Both parties are directed to serve and file supplemental letter briefs limited to this request on or before July 13, 2012. The parties may serve and file reply briefs within 10 days after the filing of the supplemental letter briefs. The cause remains submitted as of May 31, 2012.

S113421**PEOPLE v. HARDY
(WARREN JUSTIN)**

Extension of time granted

Good cause appearing, and based upon counsel Susan K. Shaler's representation that she anticipates filing the appellant's opening brief by June 2013, counsel's request for an extension of time in which to file that brief is granted to August 28, 2012. After that date, only five further extensions totaling about 300 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S140795**PEOPLE v. ESPINOZA
(JOHNNY)**

Extension of time granted

Good cause appearing, and based upon counsel Ralph H. Goldsen's representation that he anticipates filing the appellant's opening brief by August 29, 2012, counsel's request for an extension of time in which to file that brief is granted to August 29, 2012. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S143531**PEOPLE v. LEON (JOSE
LUIS)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Jolie Lipsig's representation that she anticipates filing the appellant's opening brief by May 11, 2013, counsel's request for an extension of time in which to file that brief is granted to August 27, 2012. After that date, only five further extensions totaling about 260 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S176213

B209568 Second Appellate District, Div. 5

**PEOPLE v.
RUTTERSCHMIDT (OLGA)**

Extension of time denied

The application by respondent for an extension of time to file the supplemental brief is hereby denied.

S194628**VANTILBURG (CLIFFORD
JOHN) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to July 26, 2012.

S200588**PERSAUD ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHRISTOPHER LESLIE PERSAUD, State Bar Number 262620, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. CHRISTOPHER LESLIE PERSAUD is suspended from the practice of law for a minimum of two years of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
 - (1) William Costa in the amount of \$3,000 plus 10 percent interest per year from November 4, 2009;
 - (2) Anthony Henry in the amount of \$2,000 plus 10 percent interest per year from January 25, 2010;
 - (3) Mark and Sophia Crowley in the amount of \$2,495 plus 10 percent interest per year from September 6, 2009;
 - (4) Chester Boyer in the amount of \$2,500 plus 10 percent interest per year from November 27, 2009;
 - (5) Nicholas Osano in the amount of \$3,100 plus 10 percent interest per year from February 4, 2010;
 - (6) Brigit Shaffer in the amount of \$2,500 plus 10 percent interest per year from November 3, 2009;
 - (7) Ken and Carol Link in the amount of \$3,950 plus 10 percent interest per year from October 29, 2009;
 - (8) Marta Pereira in the amount of \$2,000 plus 10 percent interest per year from September 23, 2009;
 - (9) Roger Abraham in the amount of \$1,500 plus 10 percent interest per year from October 26, 2009;
 - (10) Bernardo and Elizabeth Ramirez in the amount of \$1,795 plus 10 percent interest per year from January 25, 2010;
 - (11) Ruben Varela in the amount of \$1,300 plus 10 percent interest per year from April 23, 2010;
 - (12) Joseph Robba in the amount of \$1,850 plus 10 percent interest per year from

- October 6, 2009;
- (13) Betty Jeannie Garvey in the amount of \$1,500 plus 10 percent interest per year from October 8, 2009;
 - (14) Craig and Patricia Davis in the amount of \$2,995 plus 10 percent interest per year from November 8, 2009;
 - (15) Bela Konya in the amount of \$2,450 plus 10 percent interest per year from January 7, 2010;
 - (16) Jena Perry in the amount of \$2,000 plus 10 percent interest per year from February 18, 2010;
 - (17) Joseph Macrina in the amount of \$500 plus 10 percent interest per year from December 22, 2009;
 - (18) Edilberto Reyes in the amount of \$2,884 plus 10 percent interest per year from December 4, 2009;
 - (19) Elred and Shirley Leep in the amount of \$2,475 plus 10 percent interest per year from February 10, 2010;
 - (20) Soundra Black in the amount of \$500 plus 10 percent interest per year from January 8, 2010;
 - (21) Paul Gertz in the amount of \$4,200 plus 10 percent interest per year from January 13, 2010;
 - (22) Nathan King/Phil Barnes in the amount of \$2,600 plus 10 percent interest per year from November 8, 2009;
 - (23) James Ploska in the amount of \$2,600 plus 10 percent interest per year from February 25, 2010;
 - (24) Sairam Kudapa in the amount of \$2,420 plus 10 percent interest per year from November 27, 2009;
 - (25) Agnieszka and Wojciech Bartler in the amount of \$2,500 plus 10 percent interest per year from January 28, 2010;
 - (26) Nathan King in the amount of \$2,600 plus 10 percent interest per year from November 24, 2009;
 - (27) Michelle Figgins in the amount of \$2,799 plus 10 percent interest per year from December 16, 2009;
 - (28) Myrna Llagas in the amount of \$2,850 plus 10 percent interest per year from September 23, 2009;
 - (29) Larry Lee in the amount of \$2,200 plus 10 percent interest per year from August 16, 2010;
 - (30) Jay Sengstock in the amount of \$4,500 plus 10 percent interest per year from June 5, 2009;
 - (31) Maria Queiroz in the amount of \$2,200 plus 10 percent interest per year from February 23, 2010;
 - (32) Mitchell and Analiza Dasalla in the amount of \$2,000 plus 10 percent interest per year from October 20, 2009;
 - (33) Priscilla Call in the amount of \$2,995 plus 10 percent interest per year from January 29, 2010;

- (34) Thomas and Viola Becker in the amount of \$1,500 plus 10 percent interest per year from January 7, 2010;
- (35) Daniel and Sarah Gorgone in the amount of \$1,250 plus 10 percent interest per year from November 2, 2009;
- (36) Kimberly Fordham in the amount of \$2,400 plus 10 percent interest per year from January 29, 2010;
- (37) Richard and Debra Martel in the amount of \$1,595 plus 10 percent interest per year from October 31, 2009;
- (38) Jeffrey Walton in the amount of \$1,295 plus 10 percent interest per year from March 3, 2010;
- (39) Dennis Flax in the amount of \$2,500 plus 10 percent interest per year from November 10, 2009;
- (40) Joyce Simmons in the amount of \$2,500 plus 10 percent interest per year from February 11, 2010;
- (41) Ludlow Dale in the amount of \$3,433 plus 10 percent interest per year from September 21, 2009;
- (42) Christos Joannides in the amount of \$4,100 plus 10 percent interest per year from January 25, 2010;
- (43) Pat Hord, Jr., in the amount of \$1,295 plus 10 percent interest per year from February 23, 2010;
- (44) Stephen and Diane Guzek in the amount of \$3,495 plus 10 percent interest per year from February 3, 2010;
- (45) JP and Nancy Dineen in the amount of \$2,900 plus 10 percent interest per year from November 3, 2009;
- (46) Pisey I in the amount of \$3,000 plus 10 percent interest per year from December 15, 2009;
- (47) Robert Pasterino in the amount of \$5,000 plus 10 percent interest per year from December 11, 2009;
- (48) Armando Jaurequi in the amount of \$4,100 plus 10 percent interest per year from December 21, 2009;
- (49) Richard Alexander in the amount of \$700 plus 10 percent interest per year from October 19, 2009;
- (50) Jennifer Mantooth in the amount of \$2,500 plus 10 percent interest per year from December 11, 2009;
- (51) Konstantino Mavrikis in the amount of \$2,500 plus 10 percent interest per year from November 16, 2009;
- (52) Benjamin Plaat in the amount of \$2,045 plus 10 percent interest per year from July 1, 2010;
- (53) Viroj Niranpragon in the amount of \$2,495 plus 10 percent interest per year from February 3, 2010;
- (54) Luis Cabrera in the amount of \$3,500 plus 10 percent interest per year from June 22, 2011; and
- (55) Laura Parker in the amount of \$4,300 plus 10 percent interest per year from

August 18, 2011;

- ii. He provides proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. CHRISTOPHER LESLIE PERSAUD must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 9, 2012.
3. At the expiration of the period of probation, if CHRISTOPHER LESLIE PERSAUD has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

CHRISTOPHER LESLIE PERSAUD must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

CHRISTOPHER LESLIE PERSAUD must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-fifth of the costs must be paid with his membership fees for each of the years 2013, 2014, 2015, 2016, and 2017. If CHRISTOPHER LESLIE PERSAUD fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200629

PAIVA ON DISCIPLINE

Recommended discipline imposed

The court orders that GREGORY ALLEN PAIVA, State Bar Number 207218, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. GREGORY ALLEN PAIVA is suspended from the practice of law for a minimum of the first 18 months of probation, and he will remain suspended until the following requirement is satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. GREGORY ALLEN PAIVA must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 11, 2012.
3. At the expiration of the period of probation, if GREGORY ALLEN PAIVA has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied

and that suspension will be terminated.

GREGORY ALLEN PAIVA must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

One third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If GREGORY ALLEN PAIVA fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200682**FAITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOHN RANDALL FAITH, State Bar Number 50474, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOHN RANDALL FAITH must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200688**DUREE ON DISCIPLINE**

Recommended discipline imposed

The court orders that EDWARD GRIFFIN DUREE, State Bar Number 116569, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. EDWARD GRIFFIN DUREE is suspended from the practice of law for the first 30 days of probation;
2. EDWARD GRIFFIN DUREE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 18, 2012; and
3. At the expiration of the period of probation, if EDWARD GRIFFIN DUREE has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

EDWARD GRIFFIN DUREE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200695**CONGDON ON DISCIPLINE**

Recommended discipline imposed

The court orders that BYRON EDWIN CONGDON, State Bar Number 123286, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. BYRON EDWIN CONGDON is suspended from the practice of law for the first 90 days of probation;
2. BYRON EDWIN CONGDON must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 25, 2012; and
3. At the expiration of the period of probation, if BYRON EDWIN CONGDON has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

BYRON EDWIN CONGDON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

BYRON EDWIN CONGDON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If BYRON EDWIN CONGDON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200703**BARRY ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN DAVID ARTHUR BARRY, State Bar Number 70083, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOHN DAVID ARTHUR BARRY must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 19, 2012; and
2. At the expiration of the period of probation, if JOHN DAVID ARTHUR BARRY has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN DAVID ARTHUR BARRY must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200704**LOVELESS ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANDREA SCURRY LOVELESS, State Bar Number 231735, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. ANDREA SCURRY LOVELESS must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 12, 2012; and
2. At the expiration of the period of probation, if ANDREA SCURRY LOVELESS has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANDREA SCURRY LOVELESS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2013 and 2014. If ANDREA SCURRY LOVELESS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S200805**KHAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that KAMRAN NIHAL KHAN, State Bar Number 256979, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. KAMRAN NIHAL KHAN is suspended from the practice of law for a minimum of the first 18 months of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of

Probation in Los Angeles;

- (1) Allen Natseway in the amount of \$1,500 plus 10 percent interest per year from December 2, 2009;
- (2) Almaden Homes, LLC in the amount of \$2,970 plus 10 percent interest per year from November 12, 2009;
- (3) Angela Elizabeth Trinh in the amount of \$750 plus 10 percent interest per year from March 4, 2010;
- (4) Annie Jones in the amount of \$600 plus 10 percent interest per year from November 6, 2009;
- (5) Anthony and Tiffany Lenci in the amount of \$1,500 plus 10 percent interest per year from July 15, 2010;
- (6) Arturo Soto in the amount of \$3,500 plus 10 percent interest per year from May 1, 2010;
- (7) Arun Singh in the amount of \$1,250 plus 10 percent interest per year from March 27, 2010;
- (8) AT Engineering Services in the amount of \$2,000 plus 10 percent interest per year from November 23, 2009;
- (9) Barbara Rathbun in the amount of \$1,450 plus 10 percent interest per year from November 2, 2009;
- (10) Brian and Heather Mount in the amount of \$1,500 plus 10 percent interest per year from April 8, 2010;
- (11) Cal and Michelle Sherrouse in the amount of \$2,000 plus 10 percent interest per year from July 24, 2010;
- (12) Carmelo Pacheco in the amount of \$1,500 plus 10 percent interest per year from October 31, 2009;
- (13) Cesar Bacamante Umali in the amount of \$1,000 plus 10 percent interest per year from July 19, 2010;
- (14) Curtis Byerly in the amount of \$2,500 plus 10 percent interest per year from November 13, 2009;
- (15) Cynthia Champlin in the amount of \$5,000 plus 10 percent interest per year from November 30, 2009;
- (16) David Kimani in the amount of \$650 plus 10 percent interest per year from November 3, 2009;
- (17) Debt Services in the amount of \$1,000 plus 10 percent interest per year from December 8, 2009;
- (18) Deepak Kumar in the amount of \$1,250 plus 10 percent interest per year from April 30, 2010;
- (19) Ecomar International Inc. in the amount of \$1,000 plus 10 percent interest per year from June 23, 2010;
- (20) Edward K. Nishi in the amount of \$1,750 plus 10 percent interest per year from October 30, 2009;
- (21) Gary and Cindy Knight in the amount of \$1,500 plus 10 percent interest per year from March 9, 2010;

- (22) Gerald Ambrose in the amount of \$3,000 plus 10 percent interest per year from February 2, 2010;
- (23) Hector and Gabriela Marqueda in the amount of \$3,500 plus 10 percent interest per year from April 2, 2010;
- (24) Herbert Kerschbauer in the amount of \$1,500 plus 10 percent interest per year from October 30, 2009;
- (25) Huberto Costa in the amount of \$1,500 plus 10 percent interest per year from December 10, 2009;
- (26) Inez German in the amount of \$1,250 plus 10 percent interest per year from May 15, 2010;
- (27) Innovative Action in the amount of \$3,500 plus 10 percent interest per year from January 22, 2010;
- (28) Irene and Miguel Garcia in the amount of \$1,000 plus 10 percent interest per year from April 14, 2010;
- (29) Jaime Ann Calloway in the amount of \$3,000 plus 10 percent interest per year from July 8, 2010;
- (30) Jay Thuyen Vo in the amount of \$950 plus 10 percent interest per year from January 8, 2010;
- (31) Jean Dufresne in the amount of \$3,000 plus 10 percent interest per year from October 30, 2009;
- (32) Jeannie Dillard in the amount of \$500 plus 10 percent interest per year from November 30, 2009;
- (33) Jeff Rose in the amount of \$750 plus 10 percent interest per year from November 30, 2009;
- (34) John and Dana Christopher in the amount of \$3,000 plus 10 percent interest per year from March 24, 2010;
- (35) Joseph Markow in the amount of \$5,500 plus 10 percent interest per year from November 3, 2009;
- (36) Josh Cartwright in the amount of \$3,500 plus 10 percent interest per year from April 5, 2010;
- (37) Joy Hickman and William Crews in the amount of \$1,300 plus 10 percent interest per year from May 31, 2010;
- (38) Judy A. Nelson in the amount of \$1,500 plus 10 percent interest per year from November 16, 2009;
- (39) Karen Martinez in the amount of \$750 plus 10 percent interest per year from November 1, 2009;
- (40) Lance Storey in the amount of \$1,500 plus 10 percent interest per year from October 24, 2009;
- (41) Laudalina B. Valentine in the amount of \$3,000 plus 10 percent interest per year from November 4, 2009;
- (42) Lea Giddens in the amount of \$1,500 plus 10 percent interest per year from January 13, 2010;
- (43) Leonardo Escobedo in the amount of \$2,900 plus 10 percent interest per year

- from November 3, 2009;
- (44) Linda Killebrew in the amount of \$2,500 plus 10 percent interest per year from March 29, 2010;
 - (45) Loie Rivera in the amount of \$3,500 plus 10 percent interest per year from April 3, 2010;
 - (46) Manuel and Julieta Nacpil in the amount of \$3,500 plus 10 percent interest per year from March 23, 2010;
 - (47) Mark Seay in the amount of \$2,500 plus 10 percent interest per year from May 11, 2010;
 - (48) Martin Brown in the amount of \$750 plus 10 percent interest per year from November 12, 2009;
 - (49) Mary Carter in the amount of \$750 plus 10 percent interest per year from February 3, 2010;
 - (50) Melvin Burt in the amount of \$2,000 plus 10 percent interest per year from January 12, 2010;
 - (51) Michael E. Ward in the amount of \$995 plus 10 percent interest per year from November 16, 2009;
 - (52) Michael Kitzman in the amount of \$2,500 plus 10 percent interest per year from December 17, 2009;
 - (53) Michael Ward in the amount of \$1,000 plus 10 percent interest per year from November 3, 2009;
 - (54) Michael Ybarra in the amount of \$2,500 plus 10 percent interest per year from January 17, 2010;
 - (55) Mike Westman in the amount of \$2,700 plus 10 percent interest per year from October 31, 2009;
 - (56) Nor Cal KRS in the amount of \$3,500 plus 10 percent interest per year from December 29, 2009;
 - (57) Norman Orr in the amount of \$1,000 plus 10 percent interest per year from November 15, 2009;
 - (58) NandP in the amount of \$500 plus 10 percent interest per year from March 24, 2010;
 - (59) Pamela Couch in the amount of \$1,490 plus 10 percent interest per year from November 11, 2009;
 - (60) Patrick Miller in the amount of \$2,500 plus 10 percent interest per year from February 16, 2010;
 - (61) Peggy Bishop in the amount of \$1,500 plus 10 percent interest per year from October 30, 2009;
 - (62) Renee Carrico in the amount of \$2,800 plus 10 percent interest per year from April 29, 2010;
 - (63) Renee Dunbar in the amount of \$2,000 plus 10 percent interest per year from November 23, 2009;
 - (64) Ricardo Cerda in the amount of \$1,500 plus 10 percent interest per year from November 30, 2009;

- (65) Richard Finnerty in the amount of \$2,500 plus 10 percent interest per year from February 22, 2010;
 - (66) Richard Olivas in the amount of \$4,000 plus 10 percent interest per year from November 6, 2009;
 - (67) Ron Gray in the amount of \$2,000 plus 10 percent interest per year from April 17, 2010;
 - (68) Ryan Panopio in the amount of \$1,000 plus 10 percent interest per year from July 27, 2010;
 - (69) Sabrina Carthan in the amount of \$2,000 plus 10 percent interest per year from February 11, 2010;
 - (70) Saing Enterprises, Inc. in the amount of \$2,750 plus 10 percent interest per year from March 19, 2010;
 - (71) Saing Suen in the amount of \$750 plus 10 percent interest per year from March 10, 2010;
 - (72) Saint Brown in the amount of \$995 plus 10 percent interest per year from November 17, 2009;
 - (73) Sandra Jenkins in the amount of \$1,495 plus 10 percent interest per year from November 3, 2009;
 - (74) Sharla or Grover La Porte in the amount of \$3,500 plus 10 percent interest per year from February 19, 2010;
 - (75) Soon Lee in the amount of \$1,500 plus 10 percent interest per year from December 2, 2009;
 - (76) Steve and Tammy Kibler in the amount of \$1,500 plus 10 percent interest per year from July 15, 2010;
 - (77) Taeleipu Liliu in the amount of \$1,500 plus 10 percent interest per year from November 30, 2009;
 - (78) Timothy and Darlene Pruitt in the amount of \$1,500 plus 10 percent interest per year from April 2, 2010;
 - (79) Todd D. Arnold in the amount of \$500 plus 10 percent interest per year from January 6, 2010;
 - (80) Valerie Zeune in the amount of \$745 plus 10 percent interest per year from November 2, 2009;
 - (81) Vincent and Denise Bravo in the amount of \$2,400 plus 10 percent interest per year from May 30, 2010;
 - (82) Yanita Vasquez in the amount of \$995 plus 10 percent interest per year from November 6, 2009;
 - (83) Zabrina Garcia/Beatrice Moron in the amount of \$2,500 plus 10 percent interest per year from May 26, 2010;
 - (84) Wayne and Joanne McNerney in the amount of \$2,612 plus 10 percent interest per year from August 27, 2009;
 - (85) Wanda Taylor in the amount of \$2,500 plus 10 percent interest per year from October 19, 2009; and
- ii. He provides proof to the State Bar Court of his rehabilitation, fitness to practice and

learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. KAMRAN NIHAL KHAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 12, 2012.
3. At the expiration of the period of probation, if KAMRAN NIHAL KHAN has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

KAMRAN NIHAL KHAN must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

KAMRAN NIHAL KHAN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S200813

JIMENEZ ON DISCIPLINE

Recommended discipline imposed

The court orders that ERIC ADRIAN JIMENEZ, State Bar Number 249468, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. ERIC ADRIAN JIMENEZ is suspended from the practice of law for the first 30 days of probation;
2. ERIC ADRIAN JIMENEZ must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 18, 2012 ; and
3. At the expiration of the period of probation, if ERIC ADRIAN JIMENEZ has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ERIC ADRIAN JIMENEZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with membership fees for each of the years 2013 and 2014. If ERIC ADRIAN JIMENEZ fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable

immediately.

S200814**FISHER ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARC ALAN FISHER, State Bar Number 47794, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for eighteen months subject to the following conditions:

1. MARC ALAN FISHER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 26, 2012; and
2. At the expiration of the period of probation, if MARC ALAN FISHER has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.